

NOV 15 2004

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F A C S I M I L E C O V E R S H E E T

TO: EXAMINER: WILLIAM MILLER (ART UNIT: 3677)

CLIENT NUMBER: 24104A

TELEPHONE: 703-305-3978 FAX: 703-872-9306

FROM: PAUL J. DITMYER, ESQ.

DATE: November 15, 2004

NUMBER OF PAGES (INCLUDING COVER SHEET): 15

COMMENTS/INSTRUCTIONS:

Please see attached Amendment responsive to Examiner's office action mailed June 1, 2004 and office communication mailed October 14, 2004 for Application Serial No. 09/703,277.

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Case No. 24104A

**MS Non-Fee Amendment**  
**Commissioner For Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

In re Application of: **PURVIS**  
 Serial No.: **09/703,277**  
 Filed: **OCTOBER 31, 2000**  
 For: **TEMPORARY GUARD RAIL SYSTEM**

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Applicant qualifies as a small entity under 37 CFR § 1.27.☒ No additional fee is required.

The fee has been calculated as shown below:

FOR:	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	24	28	0	X 9	\$	OR X 18	\$ XX
INDEPT CLAIMS	3	3	0	X 42	\$	OR X 86	\$ XX
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ 140	\$	OR + 280	
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The  
 "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the  
 equivalent box in Col. 1  
 of a prior amendment of the number of claims originally filed.

☒ The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.☒ **PLEASE ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD: CHRISTOPHER F. REGAN**☒ Please associate this application with Customer No. 27975.

27975

PATENT TRADEMARK OFFICE

November 15, 2004  
 DATE

PAUL J. DITMYER  
 REG. NO. 40,455

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	
PURVIS ET AL.	)	
Serial No. 09/703,277	)	Examiner: William MILLER
Confirmation No. 1667	)	
Filed: October 31, 2000	)	Art Unit: 3677
For: TEMPORARY GUARD RAIL SYSTEM	)	Attorney Docket: 24104A
(Reissue of U.S. Patent No.	)	
5,842,685)	)	

AMENDMENT

Mail Stop: Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of June 1, 2004, the Office Communication mailed October, 14, 2004, and the telephone interview with the Examiner on October 19, 2004, please enter the amendments and consider the remarks set out below.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this filing.

Remarks begin on page 12 of this filing.

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